

PD3055

DECLARATION  
and POWER OF ATTORNEY

- ☒ ORIGINAL  
☐ CONTINUATION  
☐ DIVISIONAL

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below at 1-4, of the invention entitled:

NUCLEIC ACID MUTATION DETECTION IN HISTOLOGIC TISSUE

Which is described and claimed in:

- ☐ the attached specification or  
☒ the specification in application Serial No. 08/181,664 filed 1/14/94 ☐ as amended on \_\_\_\_\_ (if applicable)  
(for declaration not accompanying application)

and for which a patent is sought, and that my residence, post office address and citizenship are as stated below next to my name. I acknowledge my duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations 1.56(a).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING Month Day Year	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES NO
			YES NO

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date) (Status)

(Application Serial No.) (Filing Date) (Status)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or Agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. W. ROBERT SPENSLEY, Reg. No. 17,433; MARTIN H. KORN, Reg. No. 18,189; STUART LUBITZ, Reg. No. 20,680; NICHARD H. ZATLEN, Reg. No. 27,248; PAUL L. GARDNER, Reg. No. 27,372; JOHN LAND, Reg. No. 29,554; JAY M. FINKELSTEIN, Reg. No. 21,082; WILLIAM K. KONRAD, Reg. No. 28,868; ALEX CHARTOFF, Reg. No. 31,942; VINCENT J. BELUSKO, Reg. No. 30,820; ROD S. BERMAN, Reg. No. 31,483; DAVID M. SIMON, Reg. No. 32,759; THOMAS C. REYNOLDS, Reg. No. 32,488; ROGER H. WISE, Reg. No. 31,204; JOHN A. WETHERELL, Reg. No. 31,876; LOUIS A. KOK, Reg. No. 22,585; JOHN P. SCHERLACHER, Reg. No. 23,009; GARY D. MANN, Reg. No. 34,867; DON F. LAVORNESE, Reg. No. 32,040; ROBERT MOLL, Reg. No. 33,745; J. NICHOLAS GROSS, Reg. No. 34,175; TED R. RITTMAN, Reg. No. 32,832; PAUL D. BAYGON, JR., Reg. No. 34,768; PAUL H. KOVELMAN, Reg. No. 35,228; KAZUYUKI YAMAGUCHI, Reg. No. 34,957; and HIDEO KODA, Reg. No. 27,720; Stacy L. Howells, Reg. No. 34,842.

John M. Bostich, Reg. NO. 31,238

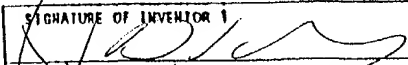
Send correspondence to:  
SPENSLEY HORN JUBAS & LUBITZ  
1880 Century Park East, Fifth Floor  
Los Angeles, California 90067

DIRECT TELEPHONE CALLS TO:  
(Name and telephone number)  
John R. Wetherell, Jr., Ph.D.  
(619) 455-5100

(Please Print)

1	Name of Inventor LAST NAME SIDRANSKY	FIRST NAME DAVID	MIDDLE NAME	Residence CITY BALTIMORE	STATE or COUNTRY MD
	Post Office Address 3007 Northbrook Rd Baltimore, MD 21209				CITIZENSHIP US
2	Name of Inventor LAST NAME	FIRST NAME	MIDDLE NAME	Residence CITY	STATE or COUNTRY
	Post Office Address				CITIZENSHIP
3	Name of Inventor LAST NAME	FIRST NAME	MIDDLE NAME	Residence CITY	STATE or COUNTRY
	Post Office Address				CITIZENSHIP
4	Name of Inventor LAST NAME	FIRST NAME	MIDDLE NAME	Residence CITY	STATE or COUNTRY
	Post Office Address				CITIZENSHIP

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1 	SIGNATURE OF INVENTOR 2
DATE 1/31/94	DATE
SIGNATURE OF INVENTOR 3	SIGNATURE OF INVENTOR 4
DATE	DATE

Applicant or Inventor: David Sidransky  
Serial or Patent No.: 08/181,664 Docket No: PD3055  
Filed or Issued: \_\_\_\_\_  
For: NUCLEIC ACID MUTATION DETECTION IN HISTOLOGIC TISSUE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION JOHNS HOPKINS UNIVERSITY SCHOOL OF MEDICINE  
ADDRESS OF ORGANIZATION 2024 E. Monument Street, #2-100  
Baltimore, Maryland 21205

TYPE OF ORGANIZATION

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))  
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)  
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA  
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) or (b) of Title 35, United States Code with regard to the invention entitled NUCLEIC ACID MUTATION DETECTION IN HISTOLOGIC TISSUE by inventor(s) David Sidransky described in

- ☐ the specification filed herewith  
☒ application serial no. 08/181,664, filed January 14, 1994  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Dr. David A. Blake  
TITLE IN ORGANIZATION Senior Associate Dean  
ADDRESS OF PERSON SIGNING 720 Rutland Avenue  
Baltimore, Maryland 21205  
SIGNATURE [Signature] DATE 1/28/94